

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

HUNTINGTON NATIONAL BANK,	:	
	:	
Plaintiff,	:	Case No. 2:12-cv-1035
	:	
Vs.	:	
	:	Judge Marbley
CLYDE PARKS,	:	
	:	<b>JURY DEMAND ENDORSED</b>
Defendant.	:	<b>HEREIN</b>

**AMENDED ANSWER AND CROSS-CLAIM OF DEFENDANT CLYDE PARKS**

1. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 1 through 11 of the Plaintiff's Complaint.
2. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 1 through 18 of the Plaintiff's Complaint except to acknowledge that he is an Ohio resident as alleged in paragraph 16.
3. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 19 through 22 of the Plaintiff's Complaint.
4. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 23 through 34 of the Plaintiff's Complaint.
5. Defendant Clyde Parks denies for lack of information the truth of the allegations with respect to reclamation claims relating to the GWS account set forth in paragraphs 38 through 44 of the Plaintiff's Complaint.
6. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 45 through 48 of the Plaintiff's Complaint.

7. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 49 through 53 of the Plaintiff's Complaint.

8. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 54 through 56 of the Plaintiff's Complaint.

9. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 57 through 65 of the Plaintiff's Complaint and expressly denies the allegation of paragraph 59 that he assisted, conspired, and/or joined in a fraud against the Plaintiff by depositing stolen tax refund checks.

10. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 66 through 74 of the Plaintiff's Complaint.

11. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 75 through 84 of the Plaintiff's Complaint and expressly denies that he assisted, conspired, participated in, and joined a RICO conspiracy by depositing stolen federal checks into an account at the Plaintiff's bank.

12. Defendant Clyde Parks denies for lack of information the truth of the allegations set forth in paragraphs 85 through 90 of the Plaintiff's Complaint and specifically denies the request of the Plaintiff for injunctive relief against Defendant Clyde Parks.

**DEFENDANT CLYDE PARKS' CROSS-CLAIM AGAINST  
GUISHARD, WILBURN & SHORTS, LLC, ALLEN PENDERGRASS,  
JOSEPH GRAY AND NATHAN PENDERGRASS**

13. For his Cross-Claim, Defendant Clyde Parks reavers and incorporates paragraphs 1 through 12 of the Defendant's Amended Answer as if fully rewritten herein

14. Defendant Clyde Parks denies that he had any knowledge of any stolen checks and a RICO conspiracy to deposit stolen federal checks into an account maintained by the Plaintiff.

15. Defendant Clyde Parks also expressly denies that he was a party to any conspiracy or collaborated with Defendants Guishard, Wilburn & Shorts, LLC, Allen Pendergrass, Joseph Gray, and Nathan Pendergrass to defraud the Plaintiff with respect to the deposit of stolen federal checks and/or the payment by the Plaintiff of these funds to these Defendants.

16. Assuming that the allegations of the Plaintiff's Complaint are true, and that Defendants Guishard, Wilburn & Shorts, LLC, Allen Pendergrass, Joseph Gray, and Nathan Pendergrass defrauded the Plaintiff as alleged, Defendants Guishard, Wilburn & Shorts, LLC, Allen Pendergrass, Joseph Gray, and Nathan Pendergrass are liable to Defendant Clyde Parks for the Plaintiff's claims against Clyde Parks.

17. Defendant Clyde Parks demands that he be indemnified by these Defendants for any recovery made by the Plaintiff against Defendant Clyde Parks.

WHEREFORE, Defendant Clyde Parks requests that the Plaintiff's Complaint be dismissed, and that he be awarded his attorney's fees and costs and whatever additional relief is deemed appropriate by the Court; and that he be indemnified by Defendants Guishard, Wilburn & Shorts, LLC, Allen Pendergrass, Joseph Gray and Nathan Pendergrass for any recovery awarded to the Plaintiff against Defendant Clyde Parks.

Respectfully submitted,

/s/Robert K. Handelman

Robert K. Handelman (0018589)

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Counsel for Clyde Parks

**JURY DEMAND**

Defendant Clyde Parks hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/Robert K. Handelman  
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**CERTIFICATE OF SERVICE**

This will certify that the foregoing was filed electronically on December 11th, 2012. This filing will be sent to the following parties, if registered, by operation of the Court's electronic filing system and/or email or first class mail, postage prepaid. Parties may access this filing through the Court's system.

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On this 11<sup>th</sup> day of December, 2012.

/s/Robert K. Handelman

Robert K. Handelman